

Chief District Judge David G. Estudillo

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DINESH MAHARJAN,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND  
IMMIGRATION SERVICES, *et al.*,

Defendants.

No. 3:23-cv-5000-DGE

STIPULATED MOTION TO HOLD  
CASE IN ABEYANCE AND ORDER

Noted for Consideration:  
February 22, 2023

Plaintiff Maharjan brings this litigation pursuant to the Administrative Procedure Act and the Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate his Form I-485, Application to Register Permanent Residence or Adjust Status. Defendants have not yet responded to the complaint. For good cause, the parties request that the case be held in abeyance until July 11, 2023.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for

counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

On February 17, 2023, USCIS issued a Notice of Intent to Revoke (“NOIR”) Mr. Maharjan’s prior Form I-140 (Petition for Alien Worker) approval. Mr. Maharjan has until May 21, 2023 to respond to the NOIR. The adjudication of the Form I-485 is dependent on the outcome of the revocation process. USCIS will review Mr. Maharjan’s response to the NOIR, if any is submitted, and issue a revocation decision thereafter. As additional time is necessary for this to occur, the parties request that the Court hold the case in abeyance until July 11, 2023. The parties will submit a joint status report on or before July 11, 2023.

Dated: February 22, 2023

Respectfully submitted,

NICHOLAS W. BROWN  
United States Attorney

s/Michelle R. Lambert  
MICHELLE R. LAMBERT, NYS #4666657  
Assistant United States Attorney  
United States Attorney’s Office  
1201 Pacific Avenue, Suite 700  
Tacoma, Washington 98402  
Phone: 206-428-3824  
Email: [michelle.lambert@usdoj.gov](mailto:michelle.lambert@usdoj.gov)  
*Attorneys for Defendants*

s/Nicholas Power  
NICHOLAS POWER, WSBA# 45972  
Law Office of Nicholas Power  
5040 Guard, Ste. 150  
Friday Harbor, Washington 98250  
Phone: 360-298-0464  
Email: [nickedpower@gmail.com](mailto:nickedpower@gmail.com)

*s/James O. Hacking, III*  
JAMES O. HACKING, III  
Hacking Immigration Law, LLC  
10121 Manchester Rd., Ste. A  
St. Louis, Missouri 63122  
Phone: 314-961-8200  
Email: [jim@hackingimmigrationlaw.com](mailto:jim@hackingimmigrationlaw.com)  
\*PHV  
*Attorneys for Plaintiff*

**ORDER**

The case is held in abeyance until July 11, 2023. The parties shall submit a joint status report on or before July 11, 2023. It is so **ORDERED**.

DATED this 1st day of March, 2023.



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David G. Estudillo  
United States District Judge